IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2492 OF 2004

In

WRIT PETITION NO.2412 OF 2001

Nandan Textiles Pvt. Ltd. & Anr. : Applicants

(Orig. Petitioners)

V/s.

Maharashtra State Electricity Board

& Ors. : Respondents

...

Mr.Vijay Agarwal i/b.K.V.Aiyar & Associates for the applicants.

Mr.P.P.Chavan i/b. M/s.Little & Co., for resp. nos.1 & 2.

Mr.S.R.Nargolkar, Asstt. Govt. Pleader, for resp. no.3.

...

CORAM : S.RADHAKRISHNAN &
S.A.BOBDE, JJ.

October 11, 2004.

P.C.:

1. Rule, returnable forthwith.

Mr.Chavan for respondent nos.1 and 2 and Mr.Nargolkar, learned Asstt. Govt. Pleader, for respondent no.3, waive service.

Heard by consent. Perused the order.

2. For the reasons stated in the application, sufficient cause has been shown for recalling our order dated 4.10.2004 whereby the above Writ Petition was dismissed in default. There is no inaction, negligence or want of bona fides on the part of the applicants.

3. Accordingly, the rule is made absolute in terms of prayer clauses (a) and (b), subject to the applicants depositing costs of Rs.1,000/- with the Maharashtra State Legal Services Authority within a period of two weeks from today. If the costs is deposited as directed, place the matter for final hearing on 29.11.2004.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)